



## DECLARATION

We, the inventors of the invention, acquired the idea that an auxiliary electrode would absorb the thermalized electrons in the plasma confinement space in the sputtering apparatus and the decrease of thermalized electrons could be effective for the repression of the temperature rise of the substrate, and we made some experiments with the box-shaped unit having an auxiliary electrode before the last day of January 2003. The fact is supported by our Working Journal dated January 30, 2003, in which it is mentioned that the effect for the (box-shaped) unit having a copper electrode is confirmed. The copper electrode of the box-shaped unit is especially provided, because closure plates 72c through 72e, the flame 71 and the chamber wall 11 work as an anode and a special anode is not placed in a conventional box-shaped unit, and the effect described in the Working Journal means an increase in the temperature of the substrate on which a thin film is formed is considerably suppressed compared with the case where the conventional apparatus including no auxiliary electrode is employed.

We designed some trial products, drew plans and ordered some components before Kadokura '564 was published, and assembled the products. We already filed a plan and a purchasing slip for the blind plate to which copper pipes were blazed with the USPTO. The blind plate and copper pipes in the plan correspond to the closure plate 72e and the rod-like electrodes 201, 202, 203 in Figs. 5 and 6 of the present application. So we conclude that Kadokura '564 has been

antedated, and therefore could not be cited against the present application.

The undersigned declares that all statements made herein of his own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both ,under'1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issued thereon.

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